

REMARKS

Claims 1-3, 5, 8-9, and 11 are pending in the application. In this response, claims 1-3, 5, 8-9, and 11 are amended; claims 12-13 are added; and claims 4, 6-7 and 10 are cancelled. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 101: Claims 7 and 11

Claims 7 and 11 stand rejected under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

Claim 7 has been cancelled and claim 11 has now been amended to recite that the computer program product is stored on a computer-readable media. Therefore, this rejection is now overcome.

II. Claim Amendments

The claims have now been amended in several respects to more clearly recite the invention. The independent claims now recite that the web services provisioning system stores information using specific languages (WSDL and WSFL). These claim amendments are supported by the specification at, for example, page 1, lines 16-27 and page 6, lines 9-19. The independent claims further recite provisioning processes data that corresponds not only to the web services that a user can request, but to provisioning web services that are used in provisioning the systems that administer the available web services. These amendments are supported by the specification in Figure 3, discussed on page 6, line 24 through page 7, line 15. It is additionally noted that while the specification does not use the word "administrative", with regard to the provisioning web services, one of ordinary skill in the art would recognize that security, billing, and user profile systems are administrative functions

III. 35 U.S.C. § 102: Anticipation: Claims 1-11

The office action states that claims 1-11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Spencer et al., Methods and Systems for Provisioning Online Services, U.S. Patent No. 6,633,907, October 14, 2003 (hereinafter "Spencer"). However, from the accompanying discussion and the presence of the 103 rejection against claims 6 and 9, it is

believed that the Examiner intended to issue the 102 rejection against claims 1-5, 7-8, and 10-11. This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990).

In response to the rejection, it is noted that the office action states, regarding the now cancelled claim 6, that "*Spencer does not specifically disclose the provisioning processes data comprises WSFL data.*"¹ By the inclusion of the features of claim 6 into the independent claims, the rejection under § 102 is made moot. The rejection of these claims will therefore be discussed under the 103 rejection below.

IV. 35 U.S.C. § 103, Obviousness: Claims 6 and 9

The examiner has rejected claims 6 and 9 under 35 U.S.C. § 103(a) as being unpatentable over **Spencer** in view of page 1, lines 25-27 of the Application, which states "*Web Services Flow Language (WSFL) is a standard that supports the composition of web services into business process models. It does this by capturing the orchestration and choreography of a given composition of services.*" This rejection is respectfully traversed.

Since the subject matter of these claims has now been incorporated respectively into claims 1 and 8, this rejection will be addressed in terms of the independent claims. Regarding independent claim 1 and cancelled dependent claim 6 the rejection states:

Spencer discloses the invention as claimed including a web service provisioning system for provisioning at least one web service (abstract), the provisioning system comprising; a) a subscription system (202, Fig. 2) including: web service description data storage for storing web service description data correlated to the at least one web service (col. 1, lines 61-64, and col. 3, lines 55-57), and provisioning processes data storage for storing provisioning processes data correlated to the at least one web service (col. 2, lines 25-28); and b) an invocation system operatively coupled to the subscription system (col. 2, lines 20-24).²

Spencer does not specifically disclose the provisioning processes data comprises WSFL data. However, the standard Web Services Flow Language (WSFL) is well known in the art as indicated by AAPA (Spec. lines 25-27), and it would have been obvious to one skilled in the art at the time of the

¹ Office action mailed 11/02/05, page 4, item 15

² Office Action dated November 2, 2005, item 6, pages 2-3

invention to use it in order to support the composition of web services into business process models.³

A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Claim 1 as amended now recites:

1. (Currently amended) A web service provisioning system for provisioning a plurality of web services, the provisioning system comprising:
 - a subscription system including:
 - web service description data storage for storing web service description data correlated to each web service of the plurality of web services, wherein the web service description data defines the respective web service in Web Services Definition Language, and
 - provisioning processes data storage for storing respective provisioning processes data for each web service of the plurality of web services and for each of a plurality of provisioning web services that correlate to respective administrative systems supporting the plurality of web services, wherein the provisioning processes data is in Web Services Flow Language; and
 - an invocation system operatively coupled to the subscription system and configured for:
 - receiving a selection of a first web service,
 - invoking the respective provisioning processes data for the first web service, and
 - invoking the respective provisioning processes data for each provisioning web service that correlates to an administrative system supporting the first web service.

The amendments to this claim clarify that not only are the web services that are offered to users implemented in WSDL and WSFL, but the processes that provision the web services, i.e., the *provisioning web services*, are implemented in WSFL. A plurality of provisioning web services are provided; each provisioning web service will provision one of the systems that administer the web services, e.g., the security system, the user profile system, and the billing system. One of ordinary skill in the art would understand that WSFL provides self-describing processes and that its use eliminates the need for dedicated programming objects that implement

³ Office Action dated November 2, 2005, item 15, page 4

the provisioning processes for a given service. Both the web services and the business processes used to provision the services (i.e., the provisioning web service) are maintained separately from the computer programming elements and can be changed without requiring a change to programming components.

In contrast, Spencer uses dedicated programming components to provision a service provided on the Web. Spencer states:

The inventive methods and systems make use of various programming objects to perform information collection and service provisioning functions. A master object is provided and is the focal point of a user's interaction with the framework. In the described embodiment, the master object can perform two primary functions--(1) security buffering--i.e. protecting system resources such as back end servers from a user that is not authorized to access such servers, and (2) oversight of various service configuration objects or "SCOs". The SCOs are programming objects that are each associated with a particular online service that might be specified by a user. The SCOs are separately configured to take the appropriate steps necessary to provision their own associated online service. In the described embodiment, in addition to these objects, a DS access object is provided and is the interface for a data store that stores user information. When a user enters the system, the master object is instantiated. Information that is to be used to provision various user-requested online services is collected from the user and stored in the data store. The master object is called when the information collection process is finished. The master object determines which services need to be provisioned and, correspondingly, instantiates the necessary SCOs, thereafter calling appropriate SCOs methods that enable the SCOs to provision their respective online service.⁴

Thus, although the excerpts of Spencer describe provisioning a service on the Web, this patent does so using programming objects. Spencer does not meet the feature of "*provisioning processes data storage for storing respective provisioning processes data ... for each of a plurality of provisioning web services that correlate to respective administrative systems supporting the plurality of web services, wherein the provisioning processes data is in Web Services Flow Language*", as recited in exemplary claim 1. Neither does Spencer meet the feature of "*an invocation system operatively coupled to the subscription system and configured for ... invoking the respective provisioning processes data for each provisioning web service that correlates to an administrative system supporting the first web service*", as recited in exemplary claim 1.

⁴Spencer, abstract

It has been suggested that it would be obvious to modify Spencer to use the standards for providing web services. However, neither Spencer nor the cited portion of Applicant's specification suggests that the provisioning processes that instantiate the web service can themselves be written using these standards. Thus, one of ordinary skill in the art would not be motivated to modify Spencer in the claimed manner. The invention recited in exemplary claim 1 can be reached only through the improper use of hindsight with the benefit of applicants' disclosure as a template.

Consequently, it is respectfully urged that the rejection of claim 1 has been overcome. Further, claim 8 is rejected for reasons similar to those of claim 1, so the rejection of claim 8 is also overcome. Since claims 2-5 and 7 depend from claim 1, and claims 9 and 11 depend from claim 8, the distinctions between Spencer and the invention recited in claim 1 also apply to these claims. Additionally, claims 2-5, 7, 9 and 11 recite additional combinations of features not suggested by the reference.

For example, claim 4 recites that "*the invocation system comprises a workflow execution engine configured to receive the user profile data and the provisioning processes data, and wherein the workflow engine is configured to invoke the provisioning processes data*", which the rejection suggests is found in Spencer as the Master Object 208 in Figure 2. Additionally, claim 5 recites "*wherein the provisioning processes data comprises at least one node, wherein each node comprises web service invocation data correlated in invoking the provisioning web service*", which the rejection asserts is found in Spencer as the SCOs 212, 214, 216 of Figure 2. However, one of ordinary skill in the art would recognize that the Master Object and the SCOs of Spencer are not workflow objects but are COM/DCOM programmatic objects that are used to provision the services. The system recited in the claims is driven by meta-data, using standards-defined meta-data (WSDL and WSFL) that are part of the catalog and that direct the provisioning processes through the workflow engine. Thus, these features are not met by the references relied on.

Therefore, the rejection of claims 1-5, 7-9, and 11 has been overcome.

V. New Claims

Claims 12 and 13 have been added to recite additional features of the invention. Exemplary claim 12 recites, "*wherein the plurality of provisioning web services for*

administering the plurality of web services correlate to administrative systems chosen from a group consisting of a billing system, a security system, and a user profile system". These claims specifically recite systems that have corresponding provisioning web services that provision the system. Spencer does not show or suggest that these systems can be provisioned by their own web services. These claims are separately allowable.

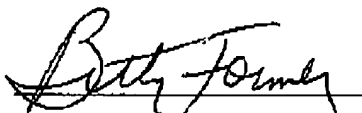
VI. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: January 18, 2006

Respectfully submitted,



Betty Formby
Reg. No. 36,536
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Agent for Applicants